

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

BARBARA MOHON,

Plaintiff,

vs.

Case No. 1:18-cv-00915-JB-SCY

AGENTRA LLC, TRACYANN NICOLE
HAMILTON and Jane Does 1-10,

Defendants.

DECLARATION AS TO THE STATE OF THE RECORD AND
REQUEST FOR CLERK'S ENTRY OF DEFAULT

On January 3, 2019 I declare under penalty of perjury that the following statements are true and correct within my personal knowledge and that I am competent to testify as follows:

Plaintiff's Complaint for Violations of the Telephone Consumer Protection Act, the Unfair Practices Act and Torts ("the Complaint") appears in the record in the above-entitled and numbered cause at pages 20-36 of Doc. 1-1 filed on 9/28/18.

An ORDER AUTHORIZING ALTERNATE SERVICE OF PROCESS ("the Order") appears in the record at pages 60-61 of Doc. 1-1 filed on 9/28/18.

An Affidavit of Service was filed in the above-entitled and numbered cause on 10/25/18 as Document 13.

A Certificate of Service was filed in the above-entitled and numbered cause on 12/2/18 as Document 20.

Documents 13 and 20 indicate the Order was complied with.

On January 3, 2019 undersigned personally inquired of the District Clerk of the First Judicial District Court of Santa Fe County, New Mexico for public information consisting of whether Defendant TRACYANN NICOLE HAMILTON (“Defendant”) had entered any appearance or filed any answer, response or any other document in that Court’s case-file no. D-101-CV-2018-02263 (“the state-court case”). Defendant has not entered any appearance or filed any answer or response to the Complaint in the state-court case.

As of the date of this Declaration undersigned has received no communication, answer or response to the Complaint from the said Defendant.

As of the date of this Declaration undersigned is not aware of any entry of appearance, answer or response to the Complaint from the said Defendant.

WHEREFORE, Plaintiff requests the Clerk of Court enter the said Defendant TRACYANN NICOLE HAMILTON’s default in accordance with the requirements of Fed.R.Civ.Pro. 55.

RESPECTFULLY SUBMITTED,

By: /s/ Sid Childress

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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I caused this document to be served in accordance with D.N.M.LR-CIV. 5.1 by filing it through the Court's CM/ECF electronic filing system.

/s/ Sid Childress
